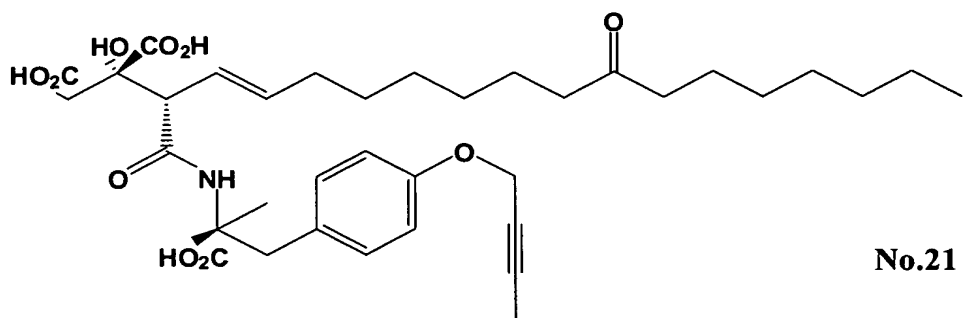


REMARKS

Applicants respectfully request that the foregoing amendments be made prior to examination of the present application.

In the specification, the compound on page 67, line 28 has been replaced with the following rewritten compound:



Additionally, claims 10, 11, 19, and 20 are also currently being amended to correct the structure of compound 21. Compound 21 is a free tri-carboxylic acid compound, and not a tri-carboxylic acid ester.

This compound is supported by the chemical structure of Compound 21 which is described on page 68 of the specification. Because the foregoing amendments do not introduce new matter, entry thereof by the Examiner is respectfully requested.

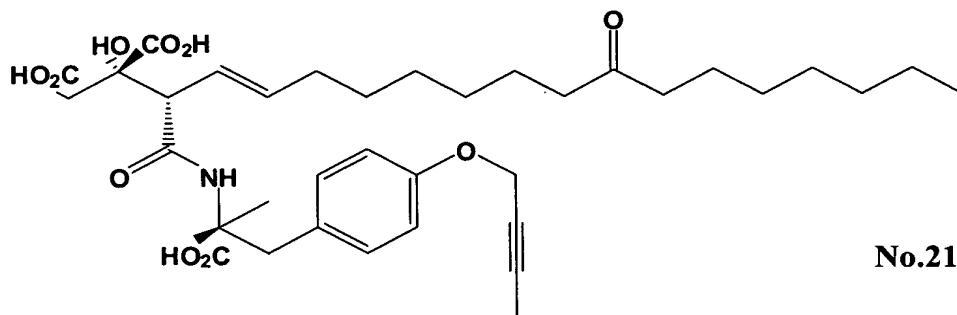
Claims 1-24 are pending.

I. The Species Election Requirement and Applicants' Provisional Election

The Examiner required election, under 35 U.S.C. § 121 and 372, between species present in claims 1-24. Office Action, pp. 2-4. The Examiner requests election between the allegedly distinct pharmaceutical composition/compound species. Office Action, p. 2.

In response, Applicants elect, with traverse Compound 21 as the specific and exact pharmaceutical composition/compound. Compound 21 is a compound of the formula (I) in

which X is 2-buthyn-1-yl and R3 is OH. Compound 21 is described by the following formula:



Applicants note that upon allowance of any linking claims, the restriction requirement as to the linked inventions shall be withdrawn and any claims depending from or otherwise requiring all of the limitations of the allowable linking claims will be rejoined and fully examined for patentability in accordance with 37 C.F.R. 1.104.

II. The Search of the Elected Sequence Is Not Unduly Burdensome

Applicants traverse on the grounds that the claims can be searched without an undue burden. According to MPEP section 803 “if a search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to independent and distinct inventions.” A single search conducted for the pharmaceutical compound represented by general formula (I) will provide information on all of the species. Thus, Applicants suggest examination of all the compounds listed in claims 1-24 can be made without serious burden.

CONCLUSION

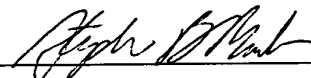
The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date December 23, 2008

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By 

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